



POWER OF ATTORNEY,  
STATEMENT UNDER 37 C.F.R. § 3.73(b), and  
ASSIGNMENT OF RIGHT UNDER 37 C.F.R. § 3.71 AND MPEP § 106

Applicants: CHERYL LILLIENTHAL, DEBBIE L. LOHMEYER, JULENE A. MRZYWKA  
THEODORE R. HERRERA and DEBBIE GLASSBERG  
Serial No.: 10/698,912  
Filed: October 31, 2003  
Title: FOOD FORMULATIONS

MATTEL, INC., a Delaware corporation, hereby appoints:

Practitioners at Kolisch Hartwell, P.C., associated with Customer No.: **23581**

as its attorneys and agents to prosecute the above-identified patent application and to transact all business in the United States Patent and Trademark Office connected therewith.

These practitioners currently include:

J. Pierre Kolisch, Reg. No. 15,802; John M. McCormack, Reg. No. 26,948; Peter E. Heuser, Reg. No. 27,902; David P. Cooper, Reg. No. 33,372; Pierre C. Van Rysselberghe, Reg. No. 33,557; Walter W. Karnstein, Reg. No. 35,565; Charles H. DeVoe, Reg. No. 37,305; David S. D'Ascenzo, Reg. No. 39,952; Owen W. Dukelow, Reg. No. 41,002; James R. Abney, Reg. No. 42,253; Mark D. Alleman, Reg. No. 42,257; M. Matthews Hall, Reg. No. 43,653; Christopher S. Tuttle, Reg. No. 41,357; B. Anna McCoy, Reg. No. 46,077; Ellen M. Gonzales, Reg. No. 44,128; Jason C. Creasman, Reg. No. 51,587; Edward B. Anderson, Reg. No. 30,154; Peter D. Sabido, Reg. No. 50,353; John D. Russell, Reg. No. 47,048; Douglas W. McArthur, Reg. No. 50,795; Stanley M. Hollenberg, Reg. No. 47,658; and Anton E. Skaugset, Reg. No. 38,617.

MATTEL, INC. states, under 37 C.F.R. § 3.73(b), that it is the assignee of the entire right, title, and interest in the above-identified patent application by virtue of an assignment from each of the inventor(s) named in the above-identified patent application. Copies of assignments or other documents in the chain of title are attached.

MATTEL, INC. hereby asserts its right, under 37 C.F.R. § 3.71 and MPEP § 106, to conduct the prosecution of the above-identified patent application to the exclusion of the named inventor(s) and any previous assignee(s).

DIRECT COMMUNICATIONS TO:

CHUCK DeVoe  
Kolisch Hartwell, P.C.  
200 Pacific Building  
520 S.W. Yamhill Street  
Portland, Oregon 97204

Telephone: (503) 224-6655  
Facsimile: (503) 295-6679  
E-Mail: [chuck@khpatent.com](mailto:chuck@khpatent.com)

The undersigned (whose title is supplied below) is authorized to act on behalf of the above-identified assignee.

MATTEL, INC.

Date:

July 27, 2004

Signature:

*Daniel F. Sullivan*

Name:

Daniel F. Sullivan

Title:

Assistant Secretary

**DECLARATION FOR PATENT APPLICATION****English Language Declaration**

As a below-named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe that I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

**FOOD FORMULATIONS**

the specification of which

\_\_\_\_\_ is attached hereto, or

  X   was filed on October 31, 2003 as U.S. Patent Application Serial No. 10/698,912.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56, including, for continuation-in-part applications, material information that became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f) or 365(b) of any foreign application(s) for patent; inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application that designated at least one country other than the United States of America, listed below, and also have identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Claimed?	Certified Copy Attached?

**DIRECT COMMUNICATIONS TO:**

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**Full name of sole or first joint inventor: DEBBIE GLASSBERG**

Inventor's signature: Deborah Glassberg

Date: June 14, 2004

Residence: Manhattan Beach, California

Citizenship: U.S.

Post Office Address: 1457 Manhattan Beach Blvd., Manhattan Beach, California 90266

**Full name of second joint inventor: CHERYL LILLIENTHAL**

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: Woodland Hills, California

Citizenship: U.S.

Post Office Address: 4627 Danza Street, Woodland Hills, California 91364

**Full name of third joint inventor: DEBBIE L. LOHMEYER**

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: San Jose, California

Citizenship: U.S.

Post Office Address: 840 Pretoria Court, San Jose, California 95127

**Full name of fourth joint inventor: JULENE A. MRZYWKA**

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: Pleasanton, California

Citizenship: U.S.

Post Office Address: 6710 Calle Altamira, Pleasanton, California 94566

**Full name of fifth joint inventor: THEODORE R. HERRERA**

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: Pleasanton, California

Citizenship: U.S.

Post Office Address: 4089 Churchill Drive, Pleasanton, California 94588

**Full name of sole or first joint inventor: DEBBIE GLASSBERG**

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Manhattan Beach, California  
Citizenship: U.S.  
Post Office Address: 1457 Manhattan Beach Blvd., Manhattan Beach, California 90266

**Full name of second joint inventor: CHERYL LILLIENTHAL**

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Woodland Hills, California  
Citizenship: U.S.  
Post Office Address: 4627 Danza Street, Woodland Hills, California 91364

**Full name of third joint inventor: DEBBIE L. LOHMEYER**

Inventor's signature: Debbie L. Lohmeyer Date: 4/1/04

Residence: San Jose, California  
Citizenship: U.S.  
Post Office Address: 840 Pretoria Court, San Jose, California 95127

**Full name of fourth joint inventor: JULENE A. MRZYWKA**

Inventor's signature: Julene A. Mrzywka Date: 4/1/04

Residence: Pleasanton, California  
Citizenship: U.S.  
Post Office Address: 6710 Calle Altamira, Pleasanton, California 94566

**Full name of fifth joint inventor: THEODORE R. HERRERA**

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Pleasanton, California  
Citizenship: U.S.  
Post Office Address: 4089 Churchill Drive, Pleasanton, California 94588

**Full name of sole or first joint inventor: DEBBIE GLASSBERG**

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**Full name of second joint inventor: CHERYL LILLIENTHAL**

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Woodland Hills, California  
Citizenship: U.S.  
Post Office Address: 4627 Danza Street, Woodland Hills, California 91364

**Full name of third joint inventor: DEBBIE L. LOHMEYER**

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: San Jose, California  
Citizenship: U.S.  
Post Office Address: 840 Pretoria Court, San Jose, California 95127

**Full name of fourth joint inventor: JULENE A. MRZYWKA**

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Pleasanton, California  
Citizenship: U.S.  
Post Office Address: 6710 Calle Altamira, Pleasanton, California 94566

**Full name of fifth joint inventor: THEODORE R. HERRERA**

Inventor's signature: Theodore R Herrera Date: 5/26/04

Residence: Pleasanton, California  
Citizenship: U.S.  
Post Office Address: 4089 Churchill Drive, Pleasanton, California 94588

## ASSIGNMENT

WHEREAS, we, Debbie Glassberg of Manhattan Beach, California, Cheryl Lillienthal of Woodland Hills, California, Debbie L. Lohmeyer of San Jose, California, Julene A. Mrzywka of Pleasanton, California, and Theodore R. Herrera of Pleasanton, California, have invented certain improvements in FOOD FORMULATIONS, for which we filed U.S. Patent Application Serial No. 10/698,912 on October 31, 2003; and

WHEREAS, Mattel, Inc., a Delaware corporation, having its principal place of business in El Segundo, California, is desirous of acquiring an interest therein;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which hereby are acknowledged, we, Debbie Glassberg, Cheryl Lillienthal, Debbie L. Lohmeyer, Julene A. Mrzywka, and Theodore R. Herrera, have sold, assigned, and transferred, and do hereby sell, assign, and transfer, to Mattel, Inc., its successors and assigns, the full and exclusive right to the invention in the United States and its territorial possessions and in all foreign countries, and the entire right, title, and interest in and to any and all Letters Patent that may be granted therefor in the United States and its territorial possessions and in any and all foreign countries, and in and to any and all divisions, continuations, reissues, substitutions, and extensions thereof.

We hereby authorize and request the Patent Office officials in the United States and any and all foreign countries to issue any and all of said Letters Patent, when granted,

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to Mattel, Inc., as the assignee of our entire right, title, and interest in and to the same, for the sole use of Mattel, Inc., and its successors and assigns.

Further, we hereby covenant and agree to and with Mattel, Inc., and its successors and assigns, at the time of execution and delivery of these presents, that we are the sole and lawful owner of the entire right, title, and interest in and to the invention and the above-identified patent application, and that the same are unencumbered, and that we have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

Further, we agree that we will communicate to Mattel, Inc., or its representatives, any facts known to us respecting the invention, and testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, reissue, substitution, and extension applications, execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to Mattel, Inc., make all rightful oaths, and generally do everything possible to aid Mattel, Inc., and its successors and assigns, to obtain and enforce proper protection for the invention in the United States and in any and all foreign countries.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 14  
day of June, 2004.

Debbie Glassberg  
Debbie Glassberg

Witness:

Signature: [Signature]

Name: 333 Continental Blvd.

Address: El Segundo, CA 90245-5012

City & State: \_\_\_\_\_

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_  
day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Cheryl Lillienthal

Witness:

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City & State: \_\_\_\_\_

IN TESTIMONY WHEREOF, I have hereunto set my hand this first  
day of April, 2004.

Debbie L. Lohmeyer  
Debbie L. Lohmeyer

Witness:

Signature: Teresa Landis

Name: Teresa Landis

Address: 6363 Clark Ave

City & State: Dublin, CA



IN TESTIMONY WHEREOF, I have hereunto set my hand this first  
day of April, 2004.

Julene A. Mrzywka  
Julene A. Mrzywka

Witness:

Signature: Teresa Landis

Name: Teresa Landis

Address: 6363 Clark Ave.

City & State: Dublin, CA

IN TESTIMONY WHEREOF, I have hereunto set my hand this first  
day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Theodore R. Herrera

Witness:

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City & State: \_\_\_\_\_

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_  
day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Julene A. Mrzywka

Witness:

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City & State: \_\_\_\_\_

IN TESTIMONY WHEREOF, I have hereunto set my hand this 26<sup>th</sup>  
day of May, 2004.

Theodore R. Herrera  
Theodore R. Herrera

Witness:

Signature: Brent Alverson

Name: Brent Alverson, PRODUCTION MANAGER Copy Team

Address: 4001 SANTA RITA RD

City & State: PLEASANTON, CA 94588